WP No. 794 (SS) 2004

Hon'ble M.M. Ghildiyal, J.

Urgency Application No. 631 of 2005.

Heard Sri S.S. Yadav learned counsel for the petitioner and learned standing counsel for the respondents.

Both the parties are agreed to decide the writ petition at its admission stage itself.

Petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to consider his application for providing him appointment under Dying in Harness Rules.

The contention of the petitioner is that petitioner is the brother of deceased, who was unmarried and died on 9.10.2002 while in service. Under the definition of the family as defined in "Uttaranchal Seva Kal Mein Mrat Sarkari Sevako ke Ashrito ki Bharti Niyamwali, 2002", the petitioner is entitled to get appointment under Dying in Harness Rules.

Petitioner has moved application dated 19.2.2004 to respondent no. 2 and the same is pending.

Learned counsel for the petitioner prayed to direct the respondent no. 2 to decide the representation of the petitioner dated 19.02.2004.

In the interest of justice, I direct the respondent no. 2 to decide the petitioner's representation dated 19.02.2004 within a period of four weeks' from the date of receipt of certified copy of this order.

With this direction the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

03.03.2005
S.K.S.